

REMARKS

I. Introduction

Claims 1 to 4 are currently pending. Claims 1 and 4 have been amended.

It is believed that this Amendment does not raise new issues that would require further consideration and/or search, and also does not raise the issue of new matter. It is also believed and respectfully submitted that this Amendment places the application in better form for appeal by materially reducing or simplifying the issues for appeal. Accordingly, entry of this Amendment is respectfully requested.

In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of claims 1-4 Under 35 U.S.C. § 112, second paragraph

Claims 1-4 have been finally rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. In the Final Office Action, the Examiner asserts that “although it appears that [the language of claim 1] is intended to signify that a second subarea may be before (relative to address), or after, a first subarea” the language might be interpreted as “simply depicting the physical locations of the subareas on a device.” In response, claim 1 has been amended in accordance with the Examiner's suggestion to recite that the second subareas include an initial subarea and a last subarea of the memory area, relative to address. The amendments to claim 1 clarify that the second subareas include at least the initial and last subareas of the memory area relative to address, instead of simply depicting the physical locations of the subareas on a device. It is believed that claims 1-4 are clear and definite.

Accordingly, it is submitted that claims 1-4 are in compliance with 35 U.S.C. § 112, second paragraph.

III. Rejection of Claims 1-4 Under 35 U.S.C. § 102(e)

Claims 1-4 have been finally rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,144,607 to Sassa (“Sassa”). Applicants respectfully submit that Sassa does not anticipate claims 1-4 for the following reasons.

In the Response to Arguments section of the Final Office Action, the Examiner contends that the language of claim 1 (before the current amendment) may be interpreted so as to read on an earlier page second subarea(s) followed by a latter page first subarea(s).

Claim 1, as amended, recites the step of providing second subareas in the memory area, the second subareas including an initial subarea and a last subarea of the memory area, relative to address. It is believed that the amendment to claim 1 (and the similar amendment to claim 4) clarifies the issue raised by the Examiner, by setting forth that **both** the initial subarea and the last subarea of the memory area (relative to address) are second subareas. Thus, all of the first subareas are between two second subareas in terms of relative address.

As discussed in the previous response, the memory management scheme disclosed in Sassa does not disclose the features of amended claim 1.

For the foregoing reasons, it is submitted that claim 1 and its dependent claims 2 and 3 are allowable over Sassa. Since claim 4 has been amended to recite features similar to the features of amended claim 1, it is submitted that claim 4 is allowable for essentially the same reasons that claim 1 is allowable.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON

Dated: 10/27/04

By: *for Rich Mayer* (by *John*)
Richard L. Mayer
Reg. No. 22,490
R. No. 36,197)

One Broadway
New York, New York 10004
(212) 425-7200

CUSTOMER NO. 26646